

following frequencies are available in this service: (See also § 90.253.)

(1) [Reserved]

(2) Frequencies in the band 73.0–74.6 MHz may be assigned to stations authorized their use on or before December 1, 1961, but no new stations will be authorized in this band, nor will expansion of existing systems be permitted. (See also § 90.257.)

(3) Frequencies in the 421–430 MHz band are available in the Detroit, Cleveland, and Buffalo areas in accordance with the rules in §§ 90.273 through 90.281.

(f) *Limitation on number of frequencies assignable.* Normally only one frequency, or pair of frequencies in the paired frequency mode of operation, will be assigned for mobile service operations by a single applicant in a given area. The assignment of an additional frequency or pair of frequencies will be made only upon a satisfactory showing of need, except that:

(1) Additional frequencies above 25 MHz may be assigned in connection with operation of mobile repeaters in accordance with § 90.247 notwithstanding this limitation;

(2) Frequencies in ranges 30.56–30.57 MHz, 35.00–35.01 MHz, 35.99–36.00 MHz, and 37.00–37.01 MHz are available for assignment of applicants in this service subject to the provisions of subpart Q notwithstanding this limitation.

(3) Frequencies in the 25–50 MHz, 150–170 MHz, 450–512 MHz and 902–928 MHz bands may be assigned for the operation of Location and Monitoring Service (LMS) systems in accordance with the provisions of subpart M of this part, notwithstanding this limitation.

(Secs. 4(i) and 303(r), Communications Act of 1934, as amended, §§ 0.131 and 0.331 of the Commission's Rules and 5 U.S.C. 553 (b)(3)(B) and (d)(3); 47 U.S.C. 154(i) and 303)

[43 FR 54791, Nov. 22, 1978]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 90.81, see the List of CFR Sections Affected in the Finding Aids section of this volume.

Subpart E—Land Transportation Radio Services

§ 90.85 Scope.

The Land Transportation Radio Services include the Motor Carrier, Railroad, Taxicab and Automobile Emergency Radio Services. Rules as to eligibility for licensing, permissible communications, assignable frequencies, and any special requirements as to each of these radio services are set forth in the following sections.

[43 FR 54791, Nov. 22, 1978, as amended at 54 FR 39739, Sept. 28, 1989]

§ 90.87 General eligibility.

(a) In addition to the eligibility shown in each Land Transportation Radio Service, eligibility is also provided for any corporation proposing to furnish non-profit radiocommunication service to its parent corporation, to another subsidiary of the same parent, or to its own subsidiary provided the party served is regularly engaged in any of the eligibility activities set forth in the particular service involved. This corporate eligibility is not subject to the cooperative use provisions of § 90.179.

(b) Eligibility is also provided for a non-profit corporation or association that is organized for the purpose of furnishing a radiocommunication service to persons actually engaged in any of the eligibility activities set forth in the particular service involved. Such use is subject to the cooperative use provisions of § 90.179.

[47 FR 19538, May 6, 1982]

§ 90.89 Motor Carrier Radio Service.

(a) *Eligibility.* Persons primarily engaged in providing a common or contract motor carrier transportation service in any of the following activities are eligible to hold authorizations in the Motor Carrier Radio Service to operate radio stations for transmission of communications essential to such activities of the licensee: Provided, however, That motor vehicles used as taxicabs, livery vehicles, or school